



UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

JOSE B. VERA,

Plaintiff,

v.

J. FITTER, M.D., et al.,

Defendants.

Case No. CV 06-07001 CBM (AJW)

~~PROPOSED~~  
JUDGMENT

IT IS ADJUDGED that (1) plaintiff's claims challenging denial of a rubber helmet and transfer to a medical facility under 42 U.S.C. § 1983 and Title II of the Americans With Disabilities Act are **dismissed without prejudice** for failure to exhaust prison administrative remedies; and (2) plaintiff's claims under 42 U.S.C. § 1983 challenging the treatment defendants prescribed to plaintiff for his seizure disorder are **dismissed with prejudice** for failure to state a claim.

12/12, 2008

  
CONSUELO B. MARSHALL  
UNITED STATES DISTRICT JUDGE